

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:19-CR-220-1D (4)
NO. 5:19-CR-220-2D (4)
NO. 5:19-CR-220-3D (4)
NO. 5:19-CR-220-4D (4)
NO. 5:19-CR-220-5D (4)
NO. 5:19-CR-220-6D (4)
NO. 5:19-CR-220-7D (4)
NO. 5:19-CR-220-8D (4)
NO. 5:19-CR-220-9D (4)
NO. 5:19-CR-220-10D (4)
NO. 5:19-CR-220-11D (4)
NO. 5:19-CR-220-12D (4)
NO. 5:19-CR-220-13D (4)
NO. 5:19-CR-220-14D (4)
NO. 5:19-CR-220-15D (4)
NO. 5:19-CR-220-16D (4)
NO. 5:19-CR-220-17D (4)
NO. 5:19-CR-220-18D (4)
NO. 5:19-CR-220-19D (4)
NO. 5:19-CR-220-20D (4)
NO. 5:19-CR-220-21D (4)

FILED IN OPEN COURT
ON 5/22/19 STS
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC

UNITED STATES OF AMERICA)

v.)

INDICTMENT

SALVADOR IBARRA ESCALANTE)

a/k/a "Billy Escalante")

RUTH NAVA-ABARCA)

FLORENTINO VALENCIA-TEPOZ)

GREGORIO VAZQUEZ-CASTILLO)

a/k/a "Jaime Castillo")

JUAN DE LA CRUZ-GONZALEZ)

SAMUEL CRUZ)

MIGUEL GUTIERREZ)

JAIME LABRA-TOVAR)

OSCAR UGALDE-ESCALANTE)

| | |
|-----------------------------|---|
| HASAN OZVATAN |) |
| EMILIO GOMEZ-GONZALEZ |) |
| JUAN MALDONADO-HERNANDEZ |) |
| GEORGE LUIS MORALES |) |
| TORIBIO ESCALANTE-CAMPOS |) |
| ERIC EVO |) |
| RYAN MERCADO-RODRIGUEZ |) |
| JUAN LOPEZ-POSADA |) |
| RENE ESPINOZA-TORRES |) |
| KELVIN FE ARELLANO-VALENCIA |) |
| DEMETRIO VALENCIA-FLORES |) |
| ALVARO MENDEZ-FLORES |) |

The Grand Jury Charges:

General Allegations

1. Used cooking oil, historically viewed as a waste product, has become a valuable recycled commodity over the past decade. The majority of the recycled cooking oil sold is used for biofuel, fluctuating with market demand. It can also be used as a nutritional additive to animal feed and pet food, or in the production of many consumer and industrial products.

2. Legitimate businesses, known as licensed grease service providers (hereinafter "renderers"), collect used cooking oil from restaurants in exchange of compensation and sell it to refineries so that it can be processed and recycled. A number of legitimate renderers operate in North Carolina.

3. Because used cooking oil can be sold, restaurants will often contract with a renderer who will buy the used cooking oil. Upon reaching an agreement to buy the used cooking oil from a restaurant, the renderer will supply that restaurant with a containment drum. As the restaurant uses the cooking oil, they place the spent cooking

oil in the containment drum for collection by the renderer. Generally, restaurants keep their used cooking oil in a locked containment drum in their parking lots and hire a renderer to properly remove the used cooking oil.

4. The renderers label these containment drums indicating ownership. Once the renderers collect the used cooking oil, it is then refined for commercial or industrial use, or sold directly to biodiesel producers.

5. The rendering industry estimates that there is an annual loss of approximately 45-75 million dollars from the theft of used cooking oil. Thieves generally utilize tote tanks to transport the stolen used cooking oil. Tote tanks are containers designed to store and transport liquids. An average tote tank holds 275-300 gallons.

6. The market price for used cooking oil is approximately .25-.28 cents per pound. One (1) gallon of used cooking oil weighs about 7.5 pounds.

7. An average box truck, commonly used to transport stolen used cooking oil, can carry up to four (4) tote tanks. Four (4) tote tanks of used cooking oil (approximately 1,100 gallons or 8,250 pounds) could result in a gross profit of as much as \$ 2,062.50 (275 gallons x 7.5 pounds per gallon x .25 cents per pound x 4 tote tanks).

8. The average tanker trailer filled with used cooking oil could have a net weight of 48,000-50,000 pounds. The transportation of a tanker trailer to an out-of-state refinery carrying 48,000 pounds of used cooking oil could result in a gross profit of as much as \$12,000.00 (48,000 pounds x .25 cents per pound).

COUNT ONE

On some date prior to October 14, 2014, the exact date being unknown to the Grand Jury, and continuing thereafter until the date of this Indictment, in the Eastern District of North Carolina, and elsewhere, SALVADOR IBARRA ESCALANTE, also known as "Billy Escalante," RUTH NAVA-ABARCA, FLORENTINO VALENCIA-TEPOZ, GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," JUAN DE LA CRUZ-GONZALEZ, SAMUEL CRUZ, MIGUEL GUTIERREZ, JAIME LABRA-TOVAR, OSCAR UGALDE-ESCALANTE, HASAN OZVATAN, EMILIO GOMEZ-GONZALEZ, JUAN MALDONADO-HERNANDEZ, GEORGE LUIS MORALES, TORIBIO ESCALANTE-CAMPOS, ERIC EVO, RYAN MERCADO-RODRIGUEZ, JUAN LOPEZ-POSADA, RENE ESPINOZA-TORRES, KELVIN FE ARELLANO-VALENCIA, DEMETRIO VALENCIA-FLORES, and ALVARO MENDEZ-FLORES defendants herein, and others both known and unknown to the Grand Jury, did knowingly combine, conspire, confederate and agree to commit offenses against the United States, that is, the interstate transportation of stolen property of a value exceeding \$5,000, in violation of Title 18, United States Code, Section 2314.

Object of the Conspiracy

The object of the conspiracy was to profit from the illicit trade in large quantities of used cooking oil stolen in North Carolina, Virginia, and Tennessee, and transported to New Jersey for sale and distribution.

Manner and Means of the Conspiracy

The conspiracy was carried out by defendants SALVADOR IBARRA ESCALANTE, also known as "Billy Escalante," GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," JUAN DE LA CRUZ-GONZALEZ, SAMUEL CRUZ, MIGUEL GUTIERREZ, JAIME LABRA-TOVAR, OSCAR UGALDE-ESCALANTE, HASAN OZVATAN, EMILIO GOMEZ-GONZALEZ, JUAN MALDONADO-HERNANDEZ, GEORGE LUIS MORALES, TORIBIO ESCALANTE-CAMPOS, ERIC EVO, RYAN MERCADO-RODRIGUEZ, JUAN LOPEZ-POSADA, RENE ESPINOZA-TORRES, KELVIN FE ARELLANO-VALENCIA, DEMETRIO VALENCIA-FLORES, and ALVARO MENDEZ-FLORES repeatedly traveling to restaurants in North Carolina, Virginia, and Tennessee in box trucks equipped with tote tanks, pumps, hoses, and burglary tools, for the purpose of stealing large quantities of used cooking oil.

The defendants SALVADOR IBARRA ESCALANTE, also known as "Billy Escalante," RUTH NAVA-ABARCA, FLORENTINO VALENCIA-TEPOZ, GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," JUAN DE LA CRUZ-GONZALEZ, SAMUEL CRUZ, MIGUEL GUTIERREZ, JAIME LABRA-TOVAR, OSCAR UGALDE-ESCALANTE, HASAN OZVATAN, EMILIO GOMEZ-GONZALEZ, JUAN MALDONADO-HERNANDEZ, GEORGE LUIS MORALES, TORIBIO ESCALANTE-CAMPOS, ERIC EVO, RYAN MERCADO-RODRIGUEZ, JUAN LOPEZ-POSADA, RENE ESPINOZA-TORRES, KELVIN FE ARELLANO-VALENCIA, DEMETRIO VALENCIA-FLORES, and ALVARO MENDEZ-FLORES transported, or caused to be transported, the stolen used cooking oil in the box trucks to a warehouse

in Durham, North Carolina, for consolidation and storage. Thereafter, a tanker trailer was used to transport the consolidated stolen used cooking oil to Virginia and elsewhere.

Overt Acts

1. On or about May 10, 2012, TORIBIO ESCALANTE-CAMPOS opened a business account at Bank of America, doing business as "CH Services LOM Incorporated," located at 4162 U.S. Highway 15 South, FF, Oxford, North Carolina.

2. On or about October 27, 2014, OSCAR UGALDE-ESCALANTE, and JUAN DE LA CRUZ-GONZALEZ, traveled to McLean's Ole Time Cafe restaurant in Zebulon, North Carolina, in a white box truck registered to RUTH NAVA-ABARCA for purposes of stealing used cooking oil. OSCAR UGALDE-ESCALANTE and JUAN DE LA CRUZ-GONZALEZ stole the used cooking oil using a pump, hoses, and storage containers.

3. On or about January 8, 2015, ERIC EVO and RYAN MERCADO-RODRIGUEZ traveled to Hardee's, Mayflower Seafood, and Peking Palace restaurants in Rocky Mount, North Carolina, in a white box truck, registered to ERIC EVO at TORIBIO ESCALANTE-CAMPOS's address, for purposes of stealing used cooking oil. ERIC EVO and RYAN MERCADO-RODRIGUEZ stole the used cooking oil using a pump, hoses, and storage containers.

4. On or about February 4, 2015, SALVADOR IBARRA-ESCALANTE registered Articles of Incorporation with the North Carolina Secretary of State for the business "Environmental Services Millennium." SALVADOR IBARRA-ESCALANTE is listed as the initial registered agent and the corporate address was listed as 4162 U.S. Highway 15, FF, Oxford, North Carolina.

5. On or about March 13, 2015, RUTH NAVA-ABARCA, doing business as "Sin Services," opened a Bank of America business account using 4162 US Highway 15S, FF, Oxford, North Carolina, as a business address.

6. On or about May 31, 2015, SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," and JAIME LABRA-TOVAR traveled in a white box truck registered to RUTH NAVA-ABARCA to the Texas Steakhouse, El Tapatio, Mario's Pizza, La Perla Tapatia, and the Habachi Grill and Buffet, all in Rocky Mount, North Carolina, for purposes of stealing used cooking oil. SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," and JAIME LABRA-TOVAR stole the used cooking oil using a pump, hoses, and tote tanks.

7. On or about August 14, 2015, FLORENTINO VALENCIA-TEPOZ registered Articles of Incorporation with the North Carolina Secretary of State for the business "Clean Recovery, Inc." FLORENTINO VALENCIA-TEPOZ is listed as the registered agent in Durham, North Carolina.

8. On or about November 15, 2015, HASAN OZVATAN and JAIME LABRA-TOVAR traveled to JJ's Fish & Chicken in Henderson, North Carolina, for purposes of stealing used cooking oil. HASAN OZVATAN and JAIME LABRA-TOVAR stole the used cooking oil using a pump, hoses, and tote tanks.

9. On or about January 3, 2016, TORIBIO ESCALANTE-CAMPOS and JUAN LOPEZ-POSADA traveled to the Dairy Queen restaurant in Spotsylvania, Virginia, in a white box registered to ERIC EVO at TORIBIO ESCALANTE-CAMPOS's address, for purposes of stealing used cooking oil. TORIBIO ESCALANTE-CAMPOS

and JUAN LOPEZ-POSADA used a crow bar to break into the restaurant's container, plugged a hose, and pumped the used cooking oil from the restaurant's container into their tote tank in the white box truck.

10. From on or about February 1, 2016, to December 29, 2016, RUTH NAVA-ABARCA, doing business as "Sin Services," issued 44 checks to "Clean Recovery, Inc." in the amount of \$181,125.

11. On or about February 23, 2016, OSCAR UGALDE-ESCALANTE and MIGUEL GUTIERREZ traveled to What A Burger restaurant in Kannapolis, North Carolina, in a white box truck registered to RUTH NAVA-ABARCA for purposes of stealing used cooking oil. OSCAR UGALDE-ESCALANTE and MIGUEL GUTIERREZ stole the used cooking oil.

12. On or about February 23, 2016, RUTH NAVA-ABARCA issued a check from the business account of "Sin Services" in the amount of \$750.00. The memo line stated "payment of bail bond."

13. On or about April 22, 2016, SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," and RUTH NAVA-ABARCA off-loaded stolen used cooking oil from two white box trucks registered to RUTH NAVA-ABARCA to a storage warehouse in Durham, North Carolina, and then from the warehouse to a tanker truck driven by an individual with initials T.M. The tanker truck containing the stolen used cooking oil crossed into to Virginia destined to Garden State Green Energy, Inc. in New Jersey.

14. On or about April 24, 2016, Garden State Green Energy, Inc., located in New Jersey, issued a check payable to "Sin Services" for \$2,228.89 in receipt of 6,236 gallons of used cooking oil.

15. On or about June 17, 2016, SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," and JAIME LABRA-TOVAR off-loaded stolen used cooking oil from a pick-up truck registered to HASAN OZVATAN to a storage warehouse in Durham, North Carolina, and then from the warehouse to a tanker truck driven by an individual with initials T.M.

16. On or about June 21, 2016, SAMUEL CRUZ and EMILIO GOMEZ-GONZALEZ traveled to Elizabeth's Pizza, Wendy's, and Pizza Hut, all in Greensboro, North Carolina, for purposes of stealing used cooking oil in a white box truck registered to an individual with initials K.B. SAMUEL CRUZ and EMILIO GOMEZ-GONZALEZ stole the used cooking oil.

17. On or about July 24, 2016, HASAN OZVATAN and JAIME LABRA-TOVAR traveled to JJ's Fish and Chicken, in Henderson, North Carolina, for purposes of stealing used cooking oil in a white box truck registered to RUTH NAVA-ABARCA. HASAN OZVATAN and JAIME LABRA-TOVAR stole the used cooking oil.

18. On or about July 25, 2016, RUTH NAVA-ABARCA issued check # 1111 from the business account of "Sin Services" to Angel's Bail Bonds. The memo line stated "Bail bonding Hasan O."

19. From on or about January 1, 2017, through September 30, 2017, "Clean Recovery, Inc." received 55 checks issued from "Sin Services" in the amount of \$214,390.

20. On or about January 17, 2017, RUTH NAVA-ABARCA registered Articles of Incorporation with the North Carolina Secretary of State for the business "Bio Recycling Services Co." RUTH NAVA-ABARCA was listed as the registered agent and president. The corporate office was listed as 4162 U.S. Highway 15S, EE, Oxford, North Carolina.

21. On or about February 27, 2017, Garden State Green Energy, Inc., located in New Jersey, issued a check payable to "Sin Services" for \$4,000.00 as a deposit for the delivery of used cooking oil.

22. On or about March 2, 2017, GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," and RENE ESPINOZA-TORRES traveled to the Wing Stop restaurant in Knoxville, Tennessee, for purposes of stealing used cooking oil in a white box truck registered to GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo." GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," and RENE ESPINOZA-TORRES stole the used cooking oil.

23. On or about March 7, 2017, Garden State Green Energy, Inc., located in New Jersey, issued a check payable to "Sin Services" for \$2,917.00 in receipt of 6,107 gallons of used cooking oil from Tennessee.

24. On or about July 17, 2017, SALVADOR IBARRA ESCALANTE, also known as "Billy Escalante," uploaded used cooking oil from the storage warehouse to a tanker truck driven by an individual with initials T.M.

25. On or about August 1, 2017, JUAN MALDONADO-HERNANDEZ and GEORGE LUIS MORALES traveled to Mebane, North Carolina, for purposes of stealing used cooking oil from Stir King, Sake Japanese House, and Bo Jangles Famous

Chicken n' Biscuit. JUAN MALDONADO-HERNANDEZ and GEORGE LUIS MORALES stole the used cooking oil.

26. On or about August 2, 2017, GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," and SAMUEL CRUZ stole used cooking oil from fourteen (14) businesses located in Durham, Cary, and Apex, North Carolina.

27. On or about August 2, 2017, SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," unloaded used stolen cooking oil into the storage warehouse in Durham, North Carolina, from a white box truck registered to GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo."

28. On or about August 2, 2017, SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," and RUTH NAVA-ABARCA off-loaded stolen used cooking oil from a storage warehouse in Durham, North Carolina, to a tanker truck driven by a person unknown to the Grand Jury. The tanker truck containing the stolen used cooking oil crossed into Virginia.

29. On or about September 13, 2017, FLORENTINO VALENCIA-TEPOZ off-loaded used cooking oil from a white box truck registered to GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," into the storage warehouse in Durham, North Carolina.

30. On or about September 18, 2017, FLORENTINO VALENCIA-TEPOZ off-loaded used cooking oil from a white box truck registered to GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," into the storage warehouse in Durham, North Carolina.

31. On or about September 19, 2017, FLORENTINO VALENCIA-TEPOZ, and an individual unknown to the Grand Jury, off-loaded hoses and a pump from a white truck registered to SAMUEL CRUZ into the storage warehouse in Durham, North Carolina.

32. On or about September 20, 2017, FLORENTINO VALENCIA-TEPOZ off-loaded hoses from a white box truck registered to SAMUEL CRUZ into the storage warehouse in Durham, North Carolina.

33. On or about September 20, 2017, RUTH NAVA-ABARCA, and an individual unknown to the Grand Jury, off-loaded tote tanks into the storage warehouse. On the same date, a tanker truck from Garden State Green Energy, Inc. arrived. RUTH NAVA-ABARCA and SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," uploaded stolen used cooking oil into the tanker truck.

34. On or about September 24, 2017, FLORENTINO VALENCIA-TEPOZ off-loaded stolen used cooking oil from a white box truck registered to SAMUEL CRUZ into the storage warehouse in Durham, North Carolina.

35. On or about September 25, 2017, SALVADOR IBARRA-ESCALANTE, also known as "Billy Escalante," and RUTH NAVA-ABARCA uploaded stolen used cooking oil from the storage warehouse in Durham, North Carolina, to a tanker truck registered to Garden State Green Energy, Inc. driven by a person unknown to the Grand Jury.

36. On or about December 24, 2017, JUAN MALDONADO-HERNANDEZ and GEORGE LUIS MORALES traveled to Grill 46 restaurant in Durham, North Carolina, in a white box truck registered to GREGORIO VAZQUEZ-CASTILLO, also known as

"Jaime Castillo," for purposes of stealing used cooking oil. JUAN MALDONADO-HERNANDEZ and GEORGE LUIS MORALES pried open the restaurant's container and used a pump and a hose to transfer the used cooking oil to their tote tanks.

37. On or about April 2, 2018, ALVARO MENDEZ-FLORES traveled to the Silverado Grill in Annandale, Virginia for purposes of stealing used cooking oil in a white box truck registered to ALVARO MENDEZ-FLORES to an address shared with TORIBIO ESCALANTE-CAMPOS. ALVARO MENDEZ-FLORES pried open the restaurant's container and used a pump and a hose to transfer the used cooking oil to his tote tanks.

38. On or about June 7, 2018, KELVIN FE ARELLANO-VALENCIA and SAMUEL CRUZ traveled to Raleigh, North Carolina, in a white box truck registered to SAMUEL CRUZ, for purposes of stealing used cooking oil. KELVIN FE ARELLANO-VALENCIA and SAMUEL CRUZ pried open containers from six (6) restaurants and used a pump and a hose to transfer the used cooking oil to their tote tanks within the box truck.

39. On or about July 18, 2018, ALVARO MENDEZ-FLORES and an individual unknown to the Grand Jury traveled to Annandale, Virginia, for purposes of stealing used cooking oil from Silverado Grill in a 1994 Isuzu box truck registered to ALVARO MENDEZ-FLORES. ALVARO MENDEZ-FLORES and an individual unknown to the Grand Jury stole approximately 50 gallons of used cooking oil.

40. On or about March 28, 2019, ALVARO MENDEZ-FLORES traveled to Annandale, Virginia, for purposes of stealing used cooking oil. ALVARO MENDEZ-

FLORES stole approximately 800-900 gallons of used cooking oil from approximately 7-8 restaurants.

41. On or about April 4, 2019, ALVARO MENDEZ-FLORES traveled to Annandale, Virginia, for purposes of stealing used cooking oil from Burger King. ALVARO MENDEZ-FLORES stole approximately 150-200 gallons of used cooking oil.

42. On or about May 8, 2019, DEMETRIO VALENCIA-FLORES and an individual unknown to the Grand Jury uploaded stolen used cooking oil from the storage warehouse in Durham, North Carolina, to a tanker truck registered to Garden State Green Energy, Inc. driven by a person unknown to the Grand Jury.

43. On or about May 10, 2019, DEMETRIO VALENCIA-FLORES and FLORENTINO VALENCIA-TEPOZ uploaded stolen used cooking oil from the storage warehouse in Durham, North Carolina, to a tanker truck registered to Garden State Green Energy, Inc. driven by a person unknown to the Grand Jury. The tanker truck containing the stolen used cooking oil crossed into Virginia destined to Garden State Green Energy, Inc. in New Jersey.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

On some date prior to October 14, 2014, the exact date being unknown to the Grand Jury, and continuing thereafter until the date of this Indictment, in the Eastern District of North Carolina, and elsewhere, SALVADOR IBARRA ESCALANTE, also known as "Billy Escalante," RUTH NAVA-ABARCA, FLORENTINO VALENCIA-TEPOZ, GREGORIO VAZQUEZ-CASTILLO, also known as "Jaime Castillo," JUAN DE

LA CRUZ-GONZALEZ, SAMUEL CRUZ, MIGUEL GUTIERREZ, JAIME LABRA-TOVAR, OSCAR UGALDE-ESCALANTE, HASAN OZVATAN, EMILIO GOMEZ-GONZALEZ, JUAN MALDONADO-HERNANDEZ, GEORGE LUIS MORALES, TORIBIO ESCALANTE-CAMPOS, ERIC EVO, RYAN MERCADO-RODRIGUEZ, JUAN LOPEZ-POSADA, RENE ESPINOZA-TORRES, KELVIN FE ARELLANO-VALENCIA, DEMETRIO VALENCIA-FLORES, and ALVARO MENDEZ-FLORES, defendants herein, and others both known and unknown to the Grand Jury, did knowingly combine, conspire, confederate and agree to commit offenses against the United States, that is, to knowingly conduct financial transactions affecting interstate commerce and foreign commerce, which transactions involved the proceeds of specified unlawful activities, that is, interstate transportation of stolen property of a value exceeding \$5,000, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership and control of the proceeds of specified unlawful activity, and that while conducting and attempting to conduct such financial transactions represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i).

All in violation of Title 18, United States Code, Section 1956(h).

COUNT THREE

On or about May 6, 2016, in the Eastern District of North Carolina, and elsewhere, the defendant, EMILIO GOMEZ-GONZALEZ, an alien who was within one or more categories defined in Title 8, United States Code, Section 1303(a), required to apply for registration and be fingerprinted in the United States, did willfully fail and

refuse to apply for registration and be fingerprinted, in violation of Title 8, United States Code, Section 1306(a).

SENTENCING ALLEGATIONS

With respect to Count One of the Indictment:

1. For purposes of the United States Sentencing Guidelines (U.S.S.G.), Section 2B1.1(b)(1)(J), the offenses involved loss exceeding \$3,900,000.00.
2. For purposes of U.S.S.G. §2B1.1(b)(4), the offense involved stolen property and the defendants were in the business of receiving and selling stolen property.

FORFEITURE ALLEGATION

As a result of the offenses set forth in Count One of this Indictment, the defendant shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violation, and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violations. In addition, as a result of the offenses set forth in Count One of the Indictment, the defendants shall forfeit to the United States any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly as a result of the violation. Such forfeitable property shall include but not be limited to the following:

- (a) 2010 Chevrolet Express Cutaway Truck, VIN: 1GB6G3BG9A1142915, North Carolina License Plate JP5005 registered in the name of SAMUEL CRUZ;
- (b) 2011 Chevrolet Express Cutaway Truck, VIN: 1GB3G3CG8B1145971, North Carolina License Plate HC8280 registered in the name of GREGORIO VASQUEZ-CASTILLO;
- (c) 2011 Ford Econoline, E350 Truck, white in color, VIN: 1FDWE3FL1BDA57765, North Carolina License Plate Number HP6519, registered in the name of GREGORIO VASQUEZ-CASTILLO;
- (d) 2008 Ford truck, VIN# 1FDWE35L38DA82953, North Carolina License Plate JK4077, registered to CLEAN RECOVERY INC;

- (e) 2008 Toyota Tundra pickup, VIN: 5TBBV54198S518443, North Carolina License Plate Number FEP4720, registered in the name of BIO RECYCLING SERVICES CO;
- (f) 2004 Chevrolet Express Cutaway Truck, white in color, VIN: 1GDHG31U641220997, North Carolina License Plate Number JF7515, registered in the name of BIO RECYCLING SERVICES CO;
- (g) 2007 Mitsubishi Sterling box truck, VIN# JLSBBG1S87K011671, North Carolina License Plate JL6704, registered to CLEAN RECOVERY INC;
- (h) Box truck with white cab and yellow cargo area, DOT# 2913844, No license plate, registered to TRAP BOYS INC;
- (i) 1996 Ford box truck, VIN: 1FDKF37G6TEB00585, North Carolina License Plate JC6221, registered in the name of Lidia Aceituno;
- (j) 2015 Nissan Rogue, VIN: 5N1AT2MV3FC757765, New York License Plate HXK8608, registered in the name of Reyna Ramirez;
- (k) 2007 Honda Odyssey van, VIN: 5FNRL38267B020688, North Carolina License Plate CFL5482, registered in the name of Lidia Aceituno;
- (l) 2015 Ford Mustang, VIN: 1FA6P8TH0F5320863, North Carolina License Plate Number EKJ4006, registered in the name of GREGORIO VASQUEZ-CASTILLO;
- (m) 2004 Acura TL, VIN: 19UUA66254A042854, North Carolina License Plate Number ECS8655, registered in the name of GREGORIO VASQUEZ-CASTILLO;

(n) All funds held in Bank of America Account Number: XXXX XXXX 2596;

(o) All funds held in Bank of America Account Number: XXXX XXXX 0876;

If any of the above-described forfeitable property, as a result of any act or omission of the defendant--

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

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it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property. (All in violation of Title 21, United States Code, Sections 853 and 981(a)(1)(C)).

A TRUE BILL

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON

5/22/19

DATE

ROBERT J. HIGDON, JR.
United States Attorney

Sebastian Kielmanovich
SEBASTIAN KIELMANOVICH
Assistant United States Attorney